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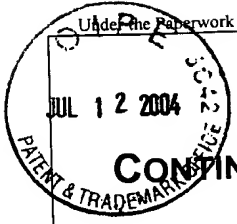
1647
IFW

PTO/SB/30 (5/2000)

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U.S. Patent and Trademark office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/904,485
Filing Date	July 13, 2001
First Named Inventor	Ashkenazi, et al.
Group Art Unit	1647
Examiner Name	Saoud, Christine J.
Attorney Docket Number	39780-1618P2C7

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. s 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114.

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered)
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. ☐ Other
- b. ☒ Enclosed
 - i. ☒ Preliminary Amendment
 - ii. ☒ Affidavit(s)/Declaration(s) — Declaration of Sherman Fong, Ph.D. (with Exhibits A-E)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other

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 01 FC:1601 770.00 DA
 02 FC:1255 2010.00 DA

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F. R. § 1.17(i) required)
- b. ☐ Other

3. Fees

The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 08-1641 (Docket No. 39780-1618P2C7)
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) = \$770.00
 - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) = 2,010.00 (five months)
 - iii. ☐ Other
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

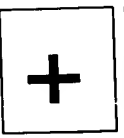
Name (Print/Type)	DAPHNE REDDY	Registration No. (Attorney/Agent)	53,507
Signature	Daphne Reddy	Date	JULY 12, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post office to Addresses" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this date: **July 12, 2004**

Name (Print/Type)	Cheryl Rogers	Date:	July 12, 2004
Signature	Cheryl Rogers	Express Mail Label:	EL 993 688 709 US

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Ashkenazi, et al. Docket No.: 39780-1618P2C7
Serial No.: 09/904,485 Group Art Unit: 1647
Filing Date: July 13, 2001 Examiner: Christine J. Saoud
For: **SECRETED TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME**

EXPRESS MAIL LABEL NO. EL 993 688 709 US

Date Mailed: July 12, 2004

PRELIMINARY AMENDMENT

MS: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Preliminary amendment accompanies a Request for Continued Examination (RCE) under 37 CFR § 1.114 for the above identified application. A Notice of Appeal was filed December 12, 2003 in this case and an Appeal brief is due by July 12, 2004. This RCE filing and Preliminary amendment are being timely filed concurrent with a Petition for Extension of Time for five months. Attached herewith is a Declaration by Sherman Fong, Ph.D. with five exhibits: (1) Current Protocols in Immunology, Vol. I, Unit 3.12 by Richard Coico, (2) an article by Ralph Steinman, (3) an article by Gubler et al., (4) an article by Peterson et al., and (5) an article by Thurner et al. Please enter the following amendments, and consider the following arguments.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.